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Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
MEDFORD DIVISION

REBECCA FISHER and TRAVIS FISHER,

Case No. 11-CV-3093-CL

Plaintiffs,

v.

**MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.**
("MERS") a Delaware Corporation;

RECONTRUST COMPANY, N.A.
("ReconTrust") a wholly owned subsidiary of
Bank of America Corporation ("BAC") a
Delaware Corporation,

Defendants.

DECLARATION OF PILAR C. FRENCH
IN SUPPORT OF DEFENDANTS'
MEMORANDUM CONCERNING
MOOTNESS OF PRELIMINARY
INJUNCTIVE RELIEF

I, Pilar C. French, declare as follows:

1. I am an attorney at Lane Powell PC, one of the attorneys of record for defendants Mortgage Electronic Registration Systems, Inc. and ReconTrust Company, N.A. ("defendants"). I am competent to make this declaration based on my personal knowledge. I make this

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MEMORANDUM CONCERNING MOOTNESS OF PRELIMINARY
INJUNCTIVE RELIEF

declaration in support of Defendants' Memorandum Concerning Mootness of Preliminary Injunctive Relief.

2. Defendants have authorized me to advise the Court that they intend to proceed with judicial foreclosure in state court.

3. Attached as Exhibit 1 is a true and correct copy of a Rescission of Notice of Default dated August 31, 2011, regarding the property at 220 Newt Gulch Road, Wilderville, Oregon 97543, and recorded in the Josephine County Official Records as Document No. 2011-010189 on September 7, 2011.

4. Attached as Exhibit 2 is a true and correct copy of Findings and Recommendations issued by the Honorable Janice M. Stewart in *Tabb v. One West Bank, FSB*, No. 3:10-CV-855-ST.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED: September 12, 2011

/s/ Pilar C. French
Pilar C. French

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INJUNCTIVE RELIEF

CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2011, I caused to be served a copy of the foregoing DECLARATION OF PILAR C. FRENCH IN SUPPORT OF DEFENDANTS' MEMORANDUM CONCERNING MOOTNESS OF PRELIMINARY INJUNCTIVE RELIEF on the following person(s) in the manner indicated below at the following address(es):

Rebecca and Travis Fisher
220 Newt Gulch Road
Wilderville, OR 97543
Telephone: 541.660.4623
E-Mail: fisherwild@aol.com
Pro se plaintiffs

- ☐ by CM/ECF
- ☒ by **Electronic Mail**
- ☐ by **Facsimile Transmission**
- ☒ by **First Class Mail**
- ☐ by **Hand Delivery**
- ☐ by **Overnight Delivery**

/s/ Pilar C. French

Pilar C. French

CERTIFICATE OF SERVICE